

***Superseded 5/10/2016***

**10-2-502.5 Hearing on request for disconnection -- Determination by municipal legislative body -- Petition in district court.**

- (1) Within 30 calendar days after the last publication of notice required under Subsection 10-2-501(3)(a), the legislative body of the municipality in which the area proposed for disconnection is located shall hold a public hearing.
- (2) At least seven calendar days before the hearing date, the municipal legislative body shall provide notice of the public hearing:
  - (a) in writing to the petitioners and to the legislative body of the county in which the area proposed for disconnection is located; and
  - (b) by publishing a notice:
    - (i)
      - (A) in a newspaper of general circulation within the municipality; or
      - (B) if there is no newspaper as described in Subsection (2)(b)(i)(A), then by posting notice of the hearing in at least three public places within the municipality; and
    - (ii) on the Utah Public Notice Website created in Section 63F-1-701.
- (3) In the public hearing, any person may speak and submit documents regarding the disconnection proposal.
- (4) Within 45 calendar days of the hearing, the municipal legislative body shall:
  - (a) determine whether to grant the request for disconnection; and
  - (b) if the municipality determines to grant the request, adopt an ordinance approving disconnection of the area from the municipality.
- (5)
  - (a) A petition against the municipality challenging the municipal legislative body's determination under Subsection (4) may be filed in district court by:
    - (i) petitioners; or
    - (ii) the county in which the area proposed for disconnection is located.
  - (b) Each petition under Subsection (5)(a) shall include a copy of the request for disconnection.